



NOVEMBER 8, 2004

USPTO
MIALSTOP (PETITIONS & OED)
P.O. BOX 1450
ALEXANDRIA, VIRGINIA 22313-1450

WWW.USPTO.GOV

PERSONAL & CONFIDENTIAL
RE: GRIEVANCE OF DAVID P. LHOTA, ESQ. (REG. NO. 39,275)
FILE NO. C2004-87

- COMMISSIONER OF PATENT & TRADEMARKS
- PCT/US01/18658; APPN #: 09/877729; PROV. #: 60/210, 300.

*****REQUESTING EMERGENCY CONSIDERATION

PETITION; FOR SUSPENSION OF RULES REGARDING UTILITY
PATENT APPLICATION.

DEAR: DIRECTOR OR DIRECTOR'S DESIGNEE;

THIS LETTER IS TO SERVE AS A PETITION FOR THE SUSPENSION OF
RULES REGARDING THE PCT & UTILITY PATENT APPLICATION,
(DATES & FEES).

THIS WOULD INCLUDE TOLLING OF PAST AND PRESENT APPLICABLE
DATES FOR SUBMISSION AND FEE PAYMENT UNTIL THE COMMISSIONER
OR THE COMMISSIONER'S DESIGNEE HAS MADE A CONCLUSION
REGARDING THE DISPOSITION OF THE ABOVE REFERENCE
DISCIPLINARY MATTER REFERRED TO UNDER (FILE NO. C2004-87).

THIS PETITION IS VALID BECAUSE OF AN INJUSTICE THAT HAS
OCCURRED IN THE PROSECUTION OF THE TWO APPLICATIONS BY THE
ATTORNEY AND LAW FIRM OF RECORD AT THE TIME OF FILING (PLEASE
REFERENCE THE EVIDENCE FROM THE FILE C2004-87).

THIS PETITION IS BEING MADE PURSUANT TO CONSOLIDATED PATENT
RULE § 1.183 SUSPENSION OF RULES; WHICH STATES:

- "In an extraordinary situation, when justice requires, any requirement
of the regulations of this part which is not a requirement of the statutes may
be suspended or waived by the Commissioner or the Commissioner's

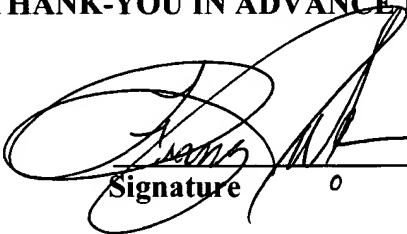
designee, sua sponte, or on petition of any party, including the Director or the Director's representative, subject to such other requirements as may be imposed."

ALTHOUGH THE FEE PURSUANT TO § 1.17(H) HAS BEEN INCLUDED I, INVENTOR, FRANZ A. WAKEFIELD IS CERTIFIED TO BE AN INDIGENT PERSON PURSUANT TO THE CAPITOL OF FLORIDA; SECTION 57.081, FLORIDA STATUTES (SEE ATTACHED CERTIFIED CERTIFICATE). IF THE DIRECTOR OR THE DIRECTOR'S DESIGNEE DECIDES THAT FOR THE FOREGOING REASONS THE \$130 FEE IS NOT NEEDED, KINDLY RETURN THE \$ 130 INCLUDED IN THIS MAILING.

PLEASE CONSIDER THIS PETITION AS THE FOLLOWING:

1. PETITION OF SUSPENSION OF RULES FOR UTILITY & PCT APPLICATIONS (PURSUANT TO § 1.183)
2. APPEAL OF RIGHTS (PURSUANT TO 37 CFR § 11.2 (C))OF OED DECISION (BASED ON § 10.170)

THANK-YOU IN ADVANCE FOR YOUR CONSIDERATION,


Signature _____ Date 11/8/04

MR. FRANZ ANTONIO WAKEFIELD
PRESIDENT & CHIEF PRODUCT DESIGN ENGINEER
COOLTVNEWTORK.COM™, INC.
17731 North West 14th Court
Miami, Florida 33169
Voice: 305 + 624.3282
FranzWakefield@hotmail.com

CC: MAILSTOP OED, & MAILSTOP PETITIONS



STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

FRANZ A. WAKEFIELD,

Petitioner,

vs.

Respondent.

Case No.

I hereby certify that this
document is a true and
correct copy.

By: Ann Cole

Date: 10-8-04

CLERK'S OFFICE, DIVISION OF
ADMINISTRATIVE HEARINGS

CERTIFICATE OF INDIGENCY

On April 12, 2004, Petitioner filed a declaration of indigency. Inasmuch as the Petitioner appears to be indigent, Petitioner is hereby certified as being entitled to receive the services of the courts, sheriffs, and clerks of the State with respect to these proceedings and may proceed without payment of costs, as authorized by Section 57.081, Florida Statutes.

This 13th day of April, 2004, in Tallahassee, Leon County, Florida.

Ann Cole

ANN COLE, Clerk of the Division
Division of Administrative Hearings
The DeSoto Building
1230 Apalachee Parkway
Tallahassee, Florida 32399-3060
(850) 488-9675 SUNCOM 278-9675
Fax Filing (850) 921-6847
www.doah.state.fl.us

Filed with the Clerk of the
Division of Administrative Hearings
this 13th day of April, 2004.

COPIES FURNISHED:

Franz A. Wakefield
17731 Northwest 14th Court
Miami, Florida 33169



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ADDRESS USPTO		ADDRESS COULTER NETWORK, INC.		
P.O. Box 1450		Address 17731 N.W. 14th Ct Miami, FL		
C.O.D. No. or Used For Alexandria, VA 22313-1450				
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